

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

JAMES FLANNEL,

Defendant.

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No. 4:17CR0526 RLW/DDN

MOTION TO CONTINUE FILING OF PRETRIAL MOTIONS

Comes now Defendant James Flannel through his attorney, Assistant Federal Public Defender Michelle Monahan, and moves the Court to continue the previous date to file pretrial motions. In support of this request Counsel submits the following:

1. Defendant Flannel was charged by superseding indictment for the above cause on September 19, 2019. Discovery is ongoing, Counsel believes the discovery in the Government's possession has been released to the Defense. Mr. Flannel's case is complex. Counsel requests time to review and analyze said discovery, complete an independent investigation and review the law.
2. Magistrate Judge Noce held a status conference this date. Counsel for the Government and Mr. Flannel outlined possible pretrial motion issues and scheduling in more detail.
3. Due to the COVID- 19 national health restrictions, Counsel is not able to personally meet with Mr. Flannel to prepare his defense. A reason for additional time is to allow counsel to have substantive in person meetings with Mr. Flannel.
4. There are outcome determinative matters that warrant discussion with Mr. Flannel prior to making a decision on which pretrial motions to file. Discussions with the Government

may preclude the need for pretrial motions. These matters require additional time to speak with the defendant and the Government. Litigating pretrial motions can impact receipt of points for acceptance of responsibility.

5. The Government has no objection to this request.
6. On August 2, 2019, Mr. Flannel entered a plea of guilty before District Court Judge Webber to the indictment in Eastern District of Missouri Case # 4:18CR590. Mr. Flannel is in custody pending sentencing on that cause. Mr. Flannel has no objection to this request for additional time.
7. Counsel is acting as expeditiously as possible. A continuance of the pretrial motion filing date is in the interest of justice to allowing a reasonable amount of time for counsel to be properly and effectively prepared pursuant to 18 U.S.C. Section 3161.

WHEREFORE, Counsel requests a continuance of the filing of pretrial motions. If the Court is inclined to grant said request, Counsel asks for a continuance of 60 days from June 22, 2020.

Respectfully submitted,

/s/ Michelle Monahan
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2020, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Thomas Rea, Assistant United States Attorney.

/s/ Michelle Monahan
MICHELLE MONAHAN